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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,620	05/24/2006	Sint Baron	NL03 1411 US1	5565
24738	7590	09/16/2011	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			MCDONALD, SHANTESE L	
PO BOX 3001			ART UNIT	PAPER NUMBER
BRIARCLIFF MANOR, NY 10510-8001			3723	
			NOTIFICATION DATE	DELIVERY MODE
			09/16/2011	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/580,620	BARON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	SHANTESE MCDONALD	3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 01 July 2011.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 5) Claim(s) 1,4-16 and 18-24 is/are pending in the application.
  - 5a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 6) Claim(s) \_\_\_\_\_ is/are allowed.
- 7) Claim(s) 1,4-16 and 18-24 is/are rejected.
- 8) Claim(s) \_\_\_\_\_ is/are objected to.
- 9) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____ .	6) <input type="checkbox"/> Other: _____ .

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

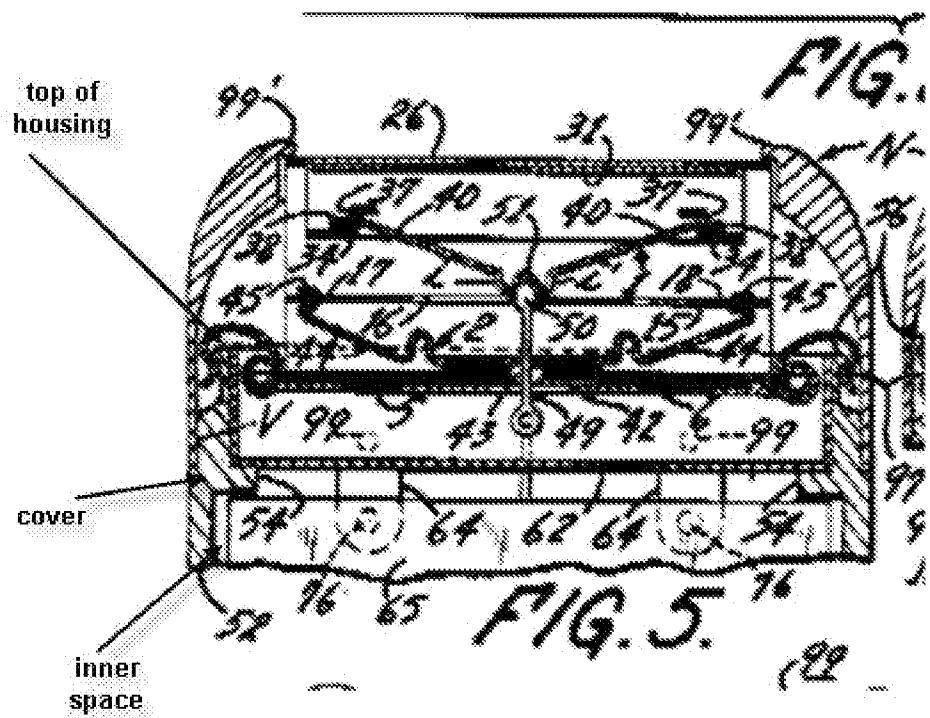
The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

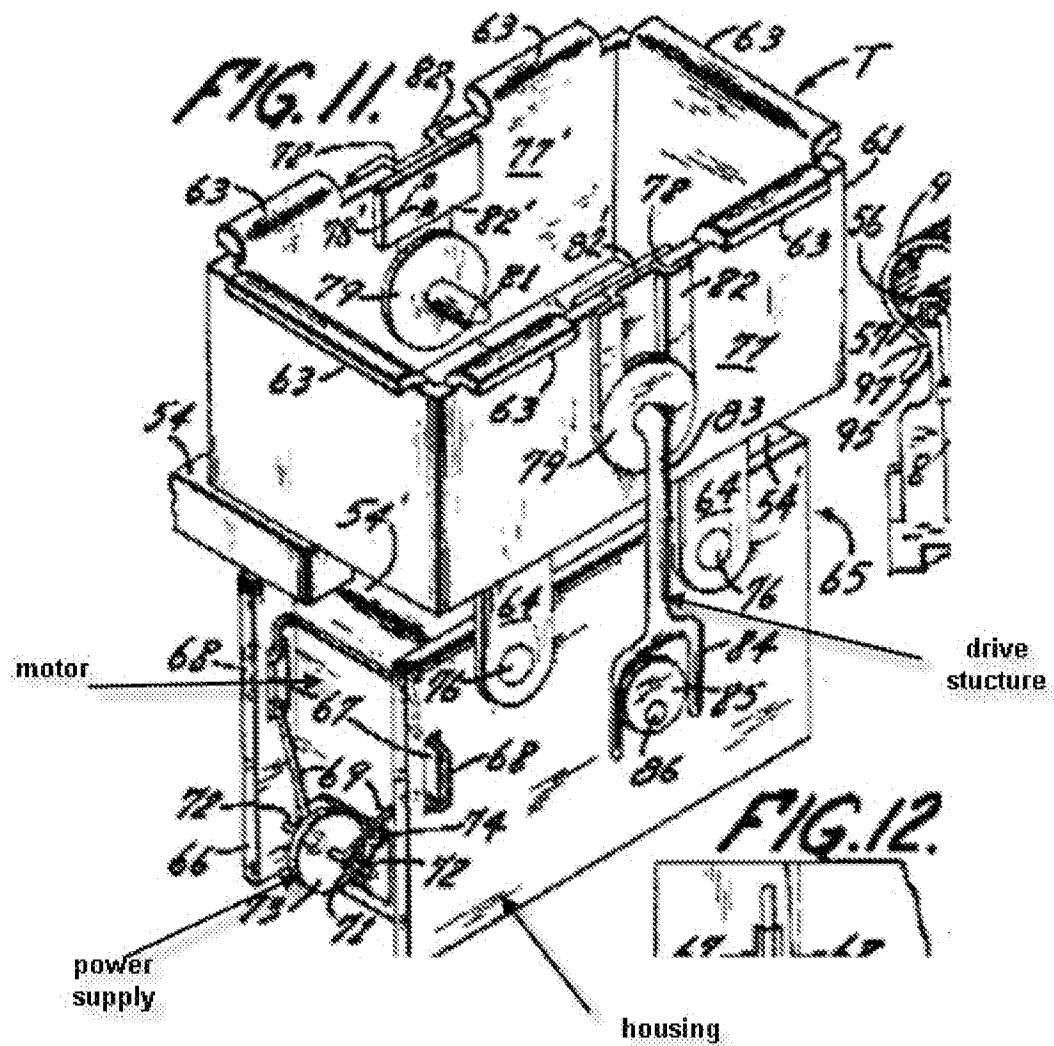
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,4,5,12,15,16 and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleinman in view of Otsuka et al.

Kleinman teaches a shaving apparatus comprising a head holder, 99, at least one shaving head, 31, including a shaving surface, 26, for contacting skin during shaving and at least one cutter, 31, that is moveable behind the shaving surface, a drive structure, 81, at the first end, (col.6, lines 63-68), and for enclosing a motor coupled to the drive structure, (see marked figure 11) including a motor coupled to the drive structure for driving the at least one cutter, a detachable shell structure, 52,53, for enveloping at least the housing the shell structure extends at least from the head holder, 99, and fully envelops the housing, (fig. 1 and marked fig.,5). Kleinman also teaches that the shell structure includes shell portion spaced from the housing such that an interspace is left between the housing and the shell portions, which produces at least one draining passage for draining the interspace between the housing and the shell structure, (see marked figure 5 the Examiner notes that the interspace creates the draining passage, meaning if a liquid was to enter the interior of the shaver, then the

liquid could drain along the interspace/passage). Kleinman teaches all the limitations of the claims except for an electric power supply connected to the motor, the electric power supply having a power plug socket at the second end, the electric power supply including a battery, a motor and control circuitry and wherein the housing fully encloses the battery and the motor and the control circuitry between the first and second ends, and the housing being waterproof between the face and the power plug socket. Otsuka et al. teaches a housing, 10, that fully encloses the battery, 95, the motor, 90, and the control circuitry, and a power plug socket, 96, at the second end of the housing, (fig. 4). It would have been obvious to one having ordinary skill in the art at the time the invention was made to replace the motor of Kleinman with the motor, electric supply means, and the power plug socket, as taught by Otsuka, and incorporate it in the housing of Kleinman, as an alternate power means, and since both inventions teach a motor within an housing. It would have been further obvious to provide the tool with the housing being waterproof, as a matter of design choice, and since it is well known in the art of wet and dry shavers to provide the interior with waterproof parts.





Kleinman as modified by Otsuka et al. teaches all the limitations of the claims except for at least a portion of the shell structure being of a more impact resistant material than the housing, a portion of the shell structure is of a softer material than the housing, an optical signaling member, and the shell structure including a window via which optical signals generated by the optical signaling member are visible, the shell structure being selected from a plurality of different shapes, and the shell structures having different shapes are alternatively mountable on the housing and cover the same portions of the housing. Maraguchi et al. teaches an optical signaling member, and the shell structure including a window via which optical signals generated by the optical signaling member are visible, (col. 4, lines 49-53, fig. 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the tool of Kleinman as modified by Otsuka et al, with an optical signaling member, as taught by Maraguchi, in order to enhance the functionality of the tool. It would have been further obvious to provide the tool with least a portion of the shell structure being of a more impact resistant material than the housing, a portion of the shell structure is of a softer material than the housing, as a matter of obvious design choice. It would have been further obvious to the shell structure being selected from a plurality of different shapes, and the shell structures having different shapes are alternatively mountable on the housing and cover the same portions of the housing, as a mater of obvious design choice.

Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleinman as modified by Otsuka in further view of Yamaguchi.

Kleinman as modified by Otsuka et al. teaches all the limitations of the claims except for the housing including at least one operating member, and the shell structure including at least one manipulating member mechanically and electrically connected with the first operating member. Yamaguchi teaches the housing including at least a first operating member, and the shell structure including at least a second operating member, S, mechanically and electrically connected with the first operating member, (col. 3, lines 25-27). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the tool of Kleinman as modified by Otsuka et al. with the above listed limitations in order to enhance the functionality of the tool.

### ***Response to Arguments***

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHANTESE MCDONALD whose telephone number is (571)272-4486. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on (571) 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S. L.M.  
September 12, 2011

/JOSEPH J HAIL/  
Supervisory Patent Examiner, Art Unit 3723